

PROB 12B
(7/93)

United States District Court

for

District of the Northern Mariana Islands

FILED
Clerk
District Court

MAY - 9 2008

**Report for Modifying the Conditions or Term of Supervision
with Consent of the Offender**
(Probation Form 49, Waiver of Hearing is Attached)

For The Northern Mariana Islands
By _____
(Deputy Clerk)

Name of Offender: **Joaquin Dela Cruz Cangco** Case Number: **CR 00-00017-001**

Name of Sentencing Judicial Officer: Honorable Alex R. Munson

Date of Original Sentence: November 14, 2000

Original Offense: Two Counts of Interference with Commerce by Robbery, 18 U.S.C. § 1951

Original Sentence: 48 months imprisonment followed by three years of supervised release with the following conditions: obey all federal, state, and local laws; comply with the standard conditions of supervised release; not possess a firearm or dangerous weapon; not use or possess illegal controlled substances; submit to one urinalysis within 15 days after release from imprisonment and two more urinalysis within 60 days thereafter; refrain from alcohol; participate in a substance abuse program for treatment of narcotic addiction or drug or alcohol dependency; undergo a mental health assessment and submit to recommended treatment as a result of that assessment; obtain and maintain gainful employment; perform 300 hours of community service; pay restitution in the amount of \$6,717 jointly and severally with co-defendants; and pay a special assessment fee of \$200. **Modified on June 23, 2004** to include a sanction of an additional 100 hours community service. **Modified on May 18, 2006** to include that the defendant submit up to eight drug tests per month at the direction of the U.S. Probation Office. **Revoked on December 8, 2006** for one day with two years of supervised release to follow.

Type of Supervision: Supervised Release Date Supervision Commenced: February 11, 2004

PETITIONING THE COURT

☐ To extend the term of supervision for _____ years, for a total term of _____ years.

☒ To modify the conditions of supervision as follows:

The defendant shall perform an additional 50 hours of community service under the direction of the U.S. Probation Office.

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CAUSE

On March 16, 2008, following a prolonged period of unemployment, Mr. Joaquin DLC. Cangco was hired by the Fiesta Resort Hotel as a landscaper earning \$3.55 per hour. His employment was verified through his immediate supervisor, Mr. Bien Salazar, who stated that Mr. Cangco was an excellent employee. On April 11, 2008, Mr. Cangco agreed to begin making \$25 monthly payments towards his restitution and signed the Financial Agreement Form.

Subsequently, on May 5, 2008, Mr. Cangco reported to the U.S. Probation Office and informed this officer that he did not like his job and intended to quit. This officer instructed him not to quit his job because he was ordered by the court to maintain employment and still had a substantial outstanding restitution balance. Mr. Cangco stated that he had not reported to work for three days and had no desire to return. This officer warned him that if he quit his job, a sanction of 50 hours community service would be requested by the Probation Office.

The following day Mr. Cangco informed this officer that he quit his job and was willing to accept the recommended sanction. He signed a Prob 49, Waiver of Hearing form, which is attached. Mr. Cangco has assured this officer that he will immediately begin searching for employment and that he is aware of the importance of paying his outstanding restitution.

Reviewed by:



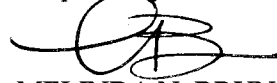
CARMEN D. O'MALLAN

U.S. Probation Officer Specialist
Supervision Unit Leader

Date: 5/8/2008

THE COURT ORDERS

Respectfully submitted,



by:

MELINDA N. BRUNSON

U.S. Probation Officer

Date: 5/8/08

☐

No Action

☐

The Extension of Supervision as Noted Above.

☒

The Modification of Conditions as Noted Above.

☐

Other

Issuance of a:

☐

Summons

☐

Warrant



Alex R. Munson
Chief Judge

District Court of the Northern Mariana Islands

5-9-08

Date

United States District Court

U.S. District Court **District** Northern Marianas Islands


Waiver of Hearing to Modify Conditions of Probation/Supervised Release or Extend Term of Supervision

I have been advised and understand that I am entitled by law to a hearing and assistance of counsel before any unfavorable change may be made in my Conditions of Probation and Supervised Release or my period of supervision being extended. By "assistance of counsel," I understand that I have the right to be represented at the hearing by counsel of my own choosing if I am able to retain counsel. I also understand that I have the right to request the court to appoint counsel to represent me at such a hearing at no cost to myself if I am not able to retain counsel of my own choosing.


I hereby voluntarily waive my statutory right to a hearing and to assistance of counsel. I also agree to the following modification of my Conditions of Probation and Supervised Release or to the proposed extension of my term of supervision:

- The defendant shall perform an additional 50 hours of community service under the direction of the U.S. Probation Office.

Witness:


Melinda N. Brunson
U.S. Probation Officer

Signed:


Joaquin DLC. Cangco
Probationer or Supervised Releasee

05/06/08

Date